

01-27-04 Image RCE/1745
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Attorney Docket No. 12369US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION OF:)	
)	
JENS MULLER,)	Group Art Unit 1745
PETER URBAN,)	
REGINA WEZEL,)	Examiner D. Yuan
KEVIN M. COLBOW and)	
JIUJUN ZHANG)	Express Mail No. EL848970195US
)	
SERIAL NO. 09/256,386)	Mailing Date: January 26, 2004
)	
FILED: FEBRUARY 24, 1999)	Customer No. 23446
)	
FOR: DIRECT DIMETHYL ETHER)	Confirmation No. 9751
FUEL CELLS)	

REQUEST FOR CONTINUED EXAMINATION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application. A Petition for a Three-Month Extension of Time with the required extension fee is submitted herewith.

01/29/2004 CNGUYEN 00000051 09256386

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1. Submission required under 37 C.F.R. § 1.114:

- ☐ a. Previously submitted:
 - ☐ i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed _____.
 - ☐ ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ☒ b. Enclosed:
 - ☒ i. Amendment/Reply.
 - ☐ ii. Affidavit(s)/Declaration(s).
 - ☐ iii. Information Disclosure Statement (IDS).
 - ☐ iv. Other (_____).

2. Miscellaneous:

- a. ☐ Suspension of action on the above identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required).
- b. ☐ Other (_____).

3. Fees

- ☒ a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-0017.
 - ☐ i. RCE fee required under 37 C.F.R. § 1.17(e).
 - ☐ ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17).
 - ☒ iii. Other (Any overpayment or deficiency).
- ☒ b. Check in the amount of \$1720.00 enclosed to cover:
 - ☒ i. RCE fee required under 37 C.F.R. § 1.17(e) (\$750.00).
 - ☒ ii. Fee for extension within third month (37 C.F.R. §§ 1.136 and 1.17) (\$950.00).
- ☐ c. Payment by credit card (Form PTO-2038 enclosed).

With this Request for Continued Examination, applicants are submitting a Response and Request for Reconsideration (Submission with Request for Continued Examination) in response to the Office Action, made final, dated July 24, 2003, and also in response to the Advisory Action dated October 15, 2003. In view of the remarks set forth in the accompanying RCE submission, applicants submit that claims 1-3, 5-9 and 15-25 are

allowable, in addition to claims 10, 16-19, 32 and 33 already indicated as being allowable.

The Examiner is invited to telephone applicants' undersigned attorney at (312) 775-8202 if any unresolved matters remain.

Please charge any fees incurred in connection with this submission to Deposit Account No. 13-0017.

Respectfully submitted,



Robert W. Fieseler
Registration No. 31,826
Attorney for Applicants

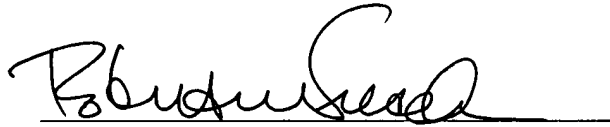
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Dated: January 26, 2004

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that the foregoing submission and the document(s) referred to therein are being deposited with the United States Postal Service on January 26, 2004, in an envelope addressed to the Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EL848970195US.


Robert W. Fieseler
Registration No. 31,826



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RESPONSE AND REQUEST FOR RECONSIDERATION

(SUBMISSION WITH REQUEST FOR CONTINUED EXAMINATION)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit this Response and Request for Reconsideration (Submission with Request for Continued Examination) in response to the Office Action, made final, dated July 24, 2003, and also in response to the Advisory Action dated October 15, 2003. This Response does not amend the specification or claims. Accordingly, the listing of claims, as of the July 24, 2003 date of the final rejection, remains in effect.

Amendments to the Specification: None.

Amendments to the Claims: None.

Amendments to the Drawings: None.

Remarks/Arguments: Begin on page 7 of this paper.

Appendices:

(A-1) German Patent Application
No. 19807876.5, filed on
February 25, 1998.

(A-2) English translation of
German Patent Application
No. 19807876.5.

(B) Singh v. Brake, 317 F.3d
1134 (Fed. Cir. 2003).